

REMARKS

The Office Action mailed July 23, 2004 has been reviewed and carefully considered. Claims 1-11 remain pending in this case, of which Claims 1 and 8 are independent claims. Claims 1-11 have been amended to more particularly point out and distinctly claim Applicants' invention. No new matter has been added by these amendments. Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

The abstract of the disclosure is objected to because line 10 recites "(Fig. 1)" and for not following the suggestions of MPEP 608.01 § (b). Accordingly Applicants have herein amended the abstract to remove "(Fig. 1)" and conform to the suggestions of MPEP 608.01 § (b). Applicants respectfully request the Examiner reconsider and remove the objections to the abstract in view of these amendments.

The specification has been objected to for lacking section headings. Applicants respectfully submit that 37 CFR §1.77(b) discloses a suggested format for the arrangement of the disclosure and the present disclosure follows the suggested format where applicable. With regard to 37 CFR§1.77(c), which was not cited in the Office Action, Applicants respectfully submit that section headings are suggested but not required, as 37 CFR §1.77(c) clearly states the sections defined in paragraphs (b) (1) through (b) (11) "should" be preceded by a section heading. Applicants respectfully decline at this time to amend the disclosure to include same.

The oath/declaration has been objected for being defective. Applicants are in the process of obtaining a new oath/declaration. Upon obtain the new oath/declaration, Applicant will submit it promptly.

The drawings are objected to as not being completely clear. Specifically, the Examiner contends FIGS. 2 and 3 do not have suitable descriptive legends. As the Examiner has required suitable descriptive legends under 37 CFR § 1.84(o), Applicants submit amended FIG. 2 and FIG. 3 herewith in accordance with 37 CFR § 1.121(d) for the Examiner's approval. Accordingly, Applicants respectfully request the Examiner reconsider and remove the objections to the abstract in view of these amendments.

Claims 1-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Tremblay et al. International Pub. No. WO 00/33178 (hereinafter "Tremblay"). Applicants respectfully traverse these rejections. In order for a reference to anticipate a claim, the reference must disclose all of the elements recited by the rejected claims.

The Court of Appeals held in *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628,631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) that:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

• Claim 1 recites, *inter alia*, "a plurality of register files (RF1-RFn)" and "register allocation means (RA) for selecting at least two of said register files (RF1-RFn) and for supplying said register address to said selected register files, if said instruction word comprises a corresponding indication." As shown in FIGS. 2 and 3, the present invention comprises multiple register files which may receive a register address from the functional unit clusters. See Specification, Page 5, lines 11-21.

The Examiner contends that the split register file of Tremblay constitutes the plurality of register files recited in Claim 1. However, Tremblay clearly describes element 216, the split register file pointed to in FIG. 3 by the Examiner, as "a **single** local register file" (emphasis added) at Page 7, line 18. Tremblay does not teach or show the

plurality of register files recited in amended claim 1. In particular, Tremblay describes the processor in relation to the single split register file on Page 9, lines 31-34 and Page 10, lines 1-16 and does not teach or show using a plurality of register files.

Further, Tremblay fails to disclose "register allocation means (RA) for selecting at least two of said register files." Instead, Tremblay only describes transmitting information to "a single local register file" (Tremblay, Page 7, line 18). Accordingly, the reference fails to show "selecting at least two of said register files."

Additionally, when making a determination of patentability under 35 U.S.C. 102, the Court of Appeals for the Federal Circuit in *In re Donaldson Co.*, 16F.3d 1189, 29 USPQ2d 1845 (Fed. Cir. 1994), regarding claims including means-plus-function language, stated "the PTO may not disregard the structure disclosed in the specification corresponding to such language when rendering a patentability determination." See MPEP § 2181. Applicants respectfully submit structure corresponding to the recitation of "register allocation means (RA) for selecting at least two of said register files (RF1-RFn) and for supplying said register address to said selected register files, if said instruction word comprises a corresponding indication" of amended Claim 1 is shown at least in FIG. 3 and in the Specification at Page 5, lines 8-31. Tremblay fails to disclose means equivalent to the structure of the present invention.

Regarding independent Claim 8, Applicants respectfully submit Tremblay fails to teach or disclose each and every element as set forth in the claim. Specifically, as discussed above, Tremblay fails to disclose "a plurality of register files" as recited in amended Claim 8 and therefore cannot perform the step of "supplying said register address to said plurality of register files."

The other claims in this application are each dependent from one or the other of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional

aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

Therefore Applicant respectfully requests that the Examiner withdraw the above-stated rejections of the claims.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,



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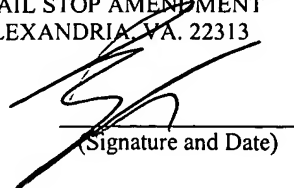
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